



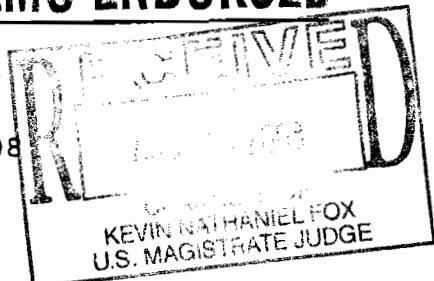
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United States Attorney
Southern District of New York

MEMO ENDORSED

86 Chambers Street
New York, New York 10007

August 1, 2008



BY FAX

Honorable Kevin N. Fox
United States Magistrate Judge
United States Courthouse
500 Pearl Street, Room 530
New York, New York 10007-1312

Re: Maarelín Perez o/b/o Mariengis N. Perez v. Astrue
07 CV 10372 (JSR) (KNF)

Dear Judge Fox:

This Office represents the Commissioner of Social Security, defendant in this action. I write respectfully to inform the Court of recent events and to request an extension of time in which to file defendant's reply.

Pursuant to the Court's order of July 25, 2008, defendant must file his reply on or before Monday, August 4, 2008. After reconsidering his position in this matter, the Commissioner decided to offer plaintiff a remand for further administrative proceedings. I sent a proposed stipulation for remand to plaintiff today, August 1, 2008. To allow plaintiff time to consider the proposed remand, I respectfully request that the time by which defendant must file his reply be extended by thirty days, to September 3, 2008. This is the government's third request for an extension. I attempted to obtain plaintiff's consent by contacting her attorney, but he will not return from vacation until Monday.

Thank you for your consideration of this matter.

8/4/08

Respectfully,

MICHAEL J. GARCIA
United States Attorney

Susan C. Branagan

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SO ORDERED:
Kevin Nathaniel Fox

KEVIN NATHANIEL FOX, U.S.M.J.
cc: Michael Hampden, Esq.